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EXAMINER

PEREZ, JULIO R

ART UNIT

PAPER NUMBER

2617

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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

Claim Objections

1. Claim 17 is objected to because of the following informalities: On line 1, delete "a" before "from". Appropriate correction is required.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willenegger et al. (hereinafter Willenegger), 2006/0189272 in view of Parantainen (2006/0156370).

Regarding claim 1, Willenegger discloses a method for a user device to receive a broadcast data session, wherein data is transmitted on multiple frequencies, said method comprising the steps of: determining a configuration associated with the second frequency in accordance with receiving the broadcast data session (page 4, paragraphs 73,78-79; furthermore, claim 1 discloses broadcasting as associated to a second channel, page 20, claim 1); and configuring the user equipment to receive the broadcast data session in accordance with the determined configuration (page 4, paragraphs 73,78-79; page 10, paragraph 298,; page 20, paragraphs 318-319).

What Willenegger does not specifically disclose is receiving a notification for a broadcast data session on a first frequency identifying a second frequency on which

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broadcast data of the broadcast data session is sent. In an analogous art, Parantainen remedies the deficiencies of Willenegger by disclosing such limitation (page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Therefore, it would have been obvious to one of ordinary skill in the art to modify Willenegger to include Parantainen to implement the system with means to transmit a notification wherein a frequency, in which broadcast data is sent, may be indicated.

Regarding claim 2, the combination of Willenegger and Parantainen discloses prior to the step of receiving a notification, monitoring the first frequency for broadcast data (Parantainen, page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Regarding claim 3, the combination of Willenegger and Parantainen discloses receiving the broadcast data session on the second frequency (Parantainen, page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Regarding claim 4, the combination of Willenegger and Parantainen discloses switching from the second frequency to a third frequency upon completion of the broadcast data session (Parantainen, page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Regarding claim 5, the combination of Willenegger and Parantainen discloses switching from the second frequency to the first frequency upon completion of the broadcast data session (Parantainen, page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Regarding claim 6, the combination of Willenegger and Parantainen discloses determining a broadcast frequency configuration associated with the second frequency, from configurations pre-stored in the user device, in accordance with receiving the broadcast data session (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 7, the combination of Willenegger and Parantainen discloses receiving the notification of the broadcast data session, determining whether the user device is engaged in a data interchange on the first frequency, and terminating the data exchange activity (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 8, the combination of Willenegger and Parantainen discloses receiving the broadcast data session on the second frequency (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 9, the combination of Willenegger and Parantainen discloses receiving the notification of the broadcast data session, determining whether the user device is engaged in a data interchange activity on the first frequency, and continuing the data interchange activity (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 10, the combination of Willenegger and Parantainen discloses receiving a first broadcast data set on the first frequency; and simultaneously receiving a second broadcast data set on the second frequency (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 11, the combination of Willenegger and Parantainen discloses receiving said notification on said first frequency, receiving a first broadcast data set on the first frequency (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 12, the combination of Willenegger and Parantainen discloses receiving a second broadcast data session on the second frequency simultaneously with the first broadcast data set (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 13, the combination of Willenegger and Parantainen discloses receiving a notification of a data broadcast data session on a broadcast control channel (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 14, the combination of Willenegger and Parantainen discloses receiving a notification of a broadcast data session on a multicast control channel (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 15, the combination of Willenegger and Parantainen discloses an identity of a configuration matching a configuration stores in the user device (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 16, Willenegger discloses for receiving broadcast data, at a user device where multiple data services are available on a plurality of frequencies, the

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method comprising: monitoring a first carrier frequency for a multimedia broadcast and multicast service (MBMS) data session (page 4, paragraphs 73,78-79; furthermore, claim 1 discloses broadcasting as associated to a second channel, page 20, claim 1); determining a configuration associated with the second carrier frequency to enable reception of the MBMS data session on the second carrier frequency (page 4, paragraphs 73,78-79; page 10, paragraph 298,; page 20, paragraphs 318-319); and configuring the user device to the second carrier frequency to receive the MBMS data session (page 4, paragraphs 73,78-79; page 10, paragraph 298,; page 20, paragraphs 318-319); determining a configuration that matches the configuration identity of the at least one of a plurality of frequencies from the data set (page 4, paragraphs 73,78-79; page 10, paragraph 298,; page 20, paragraphs 318-319); and configuring, at a time just prior to the start of the MBMS transmission to the configuration that matches the configuration identity to receive the MBMS (page 4, paragraphs 73,78-79; page 10, paragraph 298,; page 20, paragraphs 318-319).

What Willenegger does not specifically disclose receiving a notification on the first carrier frequency of a MBMS data session which is to be transmitted on a second carrier frequency different from the first carrier frequency, wherein the notification includes an identification of the second frequency. In an analogous art, Parantainen remedies the deficiencies of Willenegger by disclosing such limitation (page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Therefore, it would have been obvious to one of ordinary skill in the art to modify Willenegger to include Parantainen to implement the system with means to transmit a notification wherein a frequency, in which broadcast data is sent, may be indicated.

Regarding claim 17, the combination of Willenegger and Parantainen discloses reselecting from the first carrier frequency to the second carrier frequency (Parantainen, page 1, paragraphs 10-11; page 2, paragraph 15; page 3, paragraphs 22-24).

Regarding claim 18, the combination of Willenegger and Parantainen discloses receiving a first MBMS data set on the first carrier and receiving a second MBMS on the second carrier frequency (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 19, the combination of Willenegger and Parantainen discloses the configuration associated with the second carrier frequency is stored in a memory in the user device (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 20, the combination of Willenegger and Parantainen discloses the configuration associated with the second carrier frequency is a subset of a plurality of configurations stored in the user device (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 21, the combination of Willenegger and Parantainen discloses the notification includes a configuration ID that correlates to the configuration of the plurality of configurations stored in the user device (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

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Regarding claim 22, the combination of Willenegger and Parantainen discloses the configuration associated with the second carrier frequency is transmitted to the user device (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claim 23, the combination of Willenegger and Parantainen discloses selecting the second carrier frequency for the duration of the MBMS data session (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319); and selecting the first carrier frequency after completion of the MBMS (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Regarding claims 24, 26, the combination of Willenegger and Parantainen discloses receiving the MBMS data session via one of either broadcast or multicast communication (Willenegger, page 4, paragraphs 73,78-79; page 10, paragraph 298; page 20, paragraphs 318-319).

Conclusion

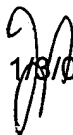
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 10:30 - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William H. Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Julio R Perez
Examiner
Art Unit 2617


1/8/07


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